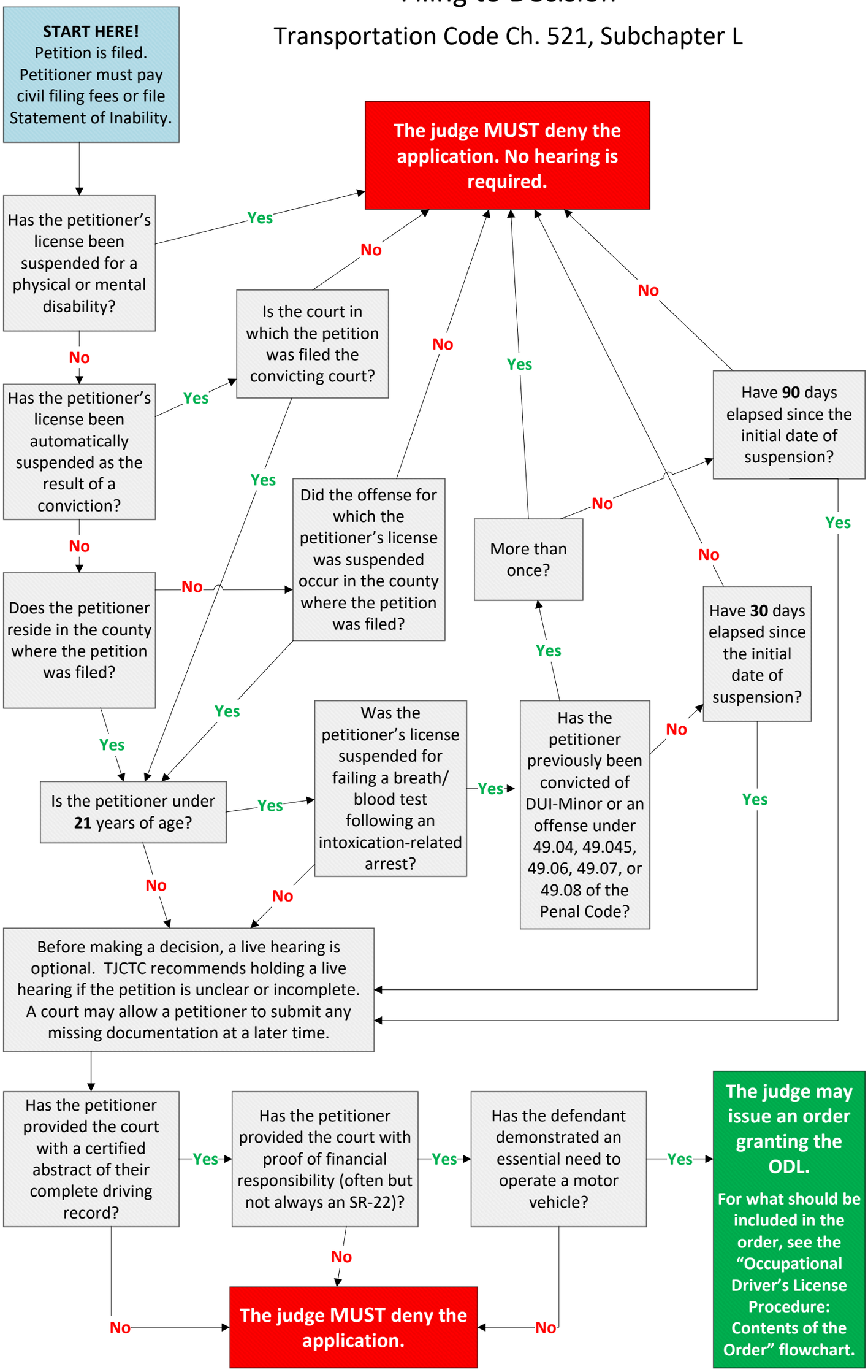
Occupational Driver's License Procedure: Filing to Decision

Transportation Code Ch. 521, Subchapter L



Occupational Driver's License Procedure: Contents of the Order

Transportation Code Ch. 521, Subchapter L

START HERE!
The judge has decided to issue an order granting an ODL.

(For more information on how this decision is made, see the "Occupational Driver's License Procedure: Filing to Decision" flowchart.)

Are either of the following true?:

- The petitioner has been restricted by another court order to the use of a vehicle equipped with an ignition interlock device (**IID**); **or**
- The petitioner has a Transportation Code **Ch. 524 or 724** suspension and has voluntarily installed an ignition interlock device (**IID**) on their vehicle.

No

The court's order **MUST** specify:

- **When**: The hours of the day and days of the week during which the person may operate a motor vehicle (the petitioner may not operate a motor vehicle for more than **four** hours in any 24-hour period, except this may be increased to up to **12** hours in any 24-hour period upon a showing of necessity);
- **Why**: The reasons for which the person may operate a motor vehicle; **and**
- **Where**: The areas or routes of travel permitted.

The court may require a driving log to enforce its order.

The court **MAY** order the petitioner to submit to supervision to verify compliance with the order. If done by CSCD, the court **MUST** order the petitioner to pay a $25-60 monthly fee. If done by a personal bond office, that office may collect a $25-60 monthly fee.

Yes

The court's order **MUST** include an IID restriction, and **MAY NOT**:

- Include any time of travel, reason for travel, or location of travel restrictions; **or**
- Order the petitioner to submit to supervision.

Has the petitioner's license been suspended under Transportation Code **Ch. 524 or 724**?

Yes

The court **MUST** order the petitioner to attend alcohol counseling, and **MAY** order the petitioner to submit to alcohol/drug testing.

Does the petitioner have an **IID** installed on their vehicle?

Yes

The court's order takes effect immediately. The court MUST send a certified copy of the petition and the order to DPS.

No

Has the petitioner's license been previously suspended under Transportation Code **Ch. 524 or 724** in the **5** years before the arrest that led to the current suspension?

Yes

The order goes into effect **91** days after the effective date of the current suspension.

The order MUST state the delayed effective date and the court MUST send a certified copy of the petition and the order to DPS.

No

Has the petitioner's license been previously suspended as a result of a conviction of Penal Code **§ 49.04 - 49.08** in the **5** years before the arrest that led to the current suspension?

No

Yes

The order goes into effect **181** days after the effective date of the current suspension.

No

The court **MAY NOT** order the petitioner to attend alcohol counseling, and **MAY NOT** order the petitioner to submit to alcohol/drug testing.